

Notice of Allowability

Application No.

10/674,344

Examiner

Irakli Kiknadze

Applicant(s)

OZAKI, MASAHIRO

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Interview summary dated 11/18/2004.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 01 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12/30/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/22/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Craig E. Church
Primary Examiner

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Eckhard H. Kuesters (Reg. No. 28,870) on November 18, 2004.

3. The application has been amended as follows:
Cancel claim 22.

Allowable Subject Matter

4. Claims 1-21 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Claims 1-17 are allowed because prior art fails to teach or make obvious an X-ray CT apparatus comprising a control unit configured to divide a view cycle into a plurality of sub cycles, to allocate the plurality of sub cycles between obtaining a projection data and a scatter correction data as claimed.

Claims 18 and 19 are allowed because prior art fails to teach or make obvious an X-ray CT apparatus comprising a control unit configured to control a plurality of X-ray sources and a plurality of X-ray detection units such that at least one of the plurality of

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X-ray detection units obtains projection data when at least another of plurality of X-ray detection units obtains scatter correction data as claimed.

Claim 20 is allowed because prior art fails to teach or make obvious an X-ray CT apparatus comprising a control unit configured to obtain view data by a view cycle, based on a projection data and a scatter correction data as claimed.

Claim 21 is allowed because prior art fails to teach or make obvious an X-ray CT apparatus comprising means for providing a view cycle into a plurality of sub cycles, for allocating the sub cycles between obtaining a projection data and a scatter correction data, and for obtaining view data by the view cycle, based on the projection data and the scatter correction data as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Berninger et al. (US Patent 4,196,352), Eberhard (US Patent 5,068,882), Mario et al. (US Patent 6,661,867 B2) and Oliver (US Patent 4,114,041) teach X-ray CT methods and apparatus obtaining projection and scatter data.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Irakli Kiknadze whose telephone number is 571-272-2493. The examiner can normally be reached on 9:00- 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on 571-272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Irakli Kiknadze
November 18, 2004

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Craig E Church

Craig E. Church
Primary Examiner